

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. S-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a P.O.D. (Professional Office District)
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

1.08 acres of land in the East Half of the Southeast
Quarter of Section 32, Township 31 North, Range 13
East, in Allen County, Indiana, described as follows,
to-wit:

Beginning at the Northeast corner of the East half of
the Southeast Quarter of Section 32, Township 31 North,
Range 13 East in Allen County, Indiana; thence South 10
minutes West along the East line of the said East Half
of the Southeast Quarter of Section 32, Township 31
North, Range 13 East, a distance of 485.1 feet; thence
West a distance of 95.0 feet; thence North 10 minutes
East a distance of 485.1 feet to the North line of the
said East Half of the Southeast Quarter of Section 32,
Township 31 North, Range 13 East; thence East along the
said north line of the East Half of the Southeast
Quarter of Section 32, Township 31 North, Range 13
East, a distance of 95.0 feet to the place of beginn-
ing;

ALSO,

1.0 acre of land in the East Half of the Southeast
Quarter of Section 32, Township 31 North, Range 13
East, in Allen County, Indiana, described as follows,
to-wit:

Beginning at a point on the North line of the East Half
of the Southeast Quarter of Section 32, Township 31
North, Range 13 East in Allen County, Indiana, the said
point being situated 95.0 feet west of the Northeast
corner of the East Half of the Southeast Quarter of
Section 32, Township 31 North, Range 13 East; thence
South 10 minutes West a distance of 485.1 feet; thence
west a distance of 90.5 feet; thence north 10 minutes
east a distance of 485.1 feet to the north line of the
East Half of the Southeast Quarter of Section 32,
Township 31 North, Range 13 East; thence East along the
said North line of the East Half of the Southeast
Quarter of Section 32, Township 31 North, Range 13
East, a distance of 90.5 feet to the place of beginn-
ing, containing 1.00 acre of land, more or less.

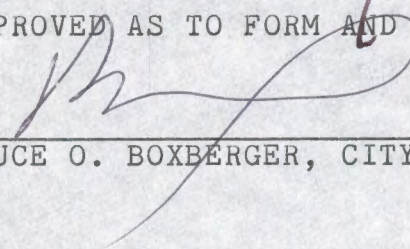
EXCEPTING THEREFROM that portion thereof conveyed for
the widening of East State Blvd.

and the symbols of the City of Fort Wayne Zoning Map No.
S-14, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Eisbart
seconded by Stier, and duly adopted, read the second ti
by title and referred to the Committee Regulations (and the C
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wa
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ .M.,

DATE: 10-14-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbart
seconded by Redd, and duly adopted, placed on it
passage. PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 11-25-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (ZONING MAP) ORDINANCE (~~RESOLUTION~~) NO. 3-14-86

on the 25th day of November, 1986

ATTEST:

(SEAL)

Sandra E. Kennedy

Samuel J. Talarico

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana
on the 26th day of November, 1986
at the hour of 11:00 o'clock PM .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of November
1986, at the hour of 11:02 o'clock A .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT

No 1127

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 8-1 1986

RECEIVED FROM East Star Ho Center \$ 50.00THE SUM OF fifty ¹⁰⁰ DOLLARSON ACCOUNT OF Requint R-3 to 1013117 Reed Road

AUTHORIZED SIGNATURE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

xx/We Richard Daugherty and Teresa Daugherty
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an P.O.D. District the property described as follows:

2.08 acres in the E 1/2 of the SE 1/4 of Section 32, Township 31 North,

Range 13 East, more fully described on Exhibit A attached

(more commonly known as 2117 Reed Road)

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Richard Daugherty</u>	<u>2117 Reed Road, Ft. Wayne, IN</u> 46815	<u><i>Richard Daugherty</i></u>
<u>Teresa Daugherty</u>	<u>2117 Reed Road, Ft. Wayne, IN</u> 46815	<u><i>Teresa Daugherty</i></u>
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>William D. Swift</u>	<u>590 Lincoln Tower</u>	<u>423-4422</u>
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

EXHIBIT A

1.03 acres of land in the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at the Northeast corner of the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana; thence South 10 minutes West along East line of the said East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 485.1 feet; thence West a distance of 95.0 feet; thence North 10 minutes East a distance of 485.1 feet to the North line of the said East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 95.0 feet to the place of beginning;

ALSO,

1.0 acre of land in the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, the said point being situated 95.0 feet west of the Northeast corner of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence west a distance of 90.5 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning; containing 1.00 acre of land, more or less.

EXCEPTING THEREFROM that portion thereof conveyed for the widening of East State Blvd.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.

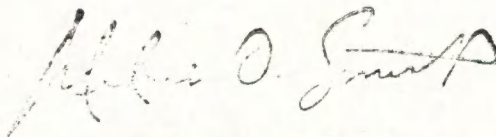
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this
6th day of November 1986.



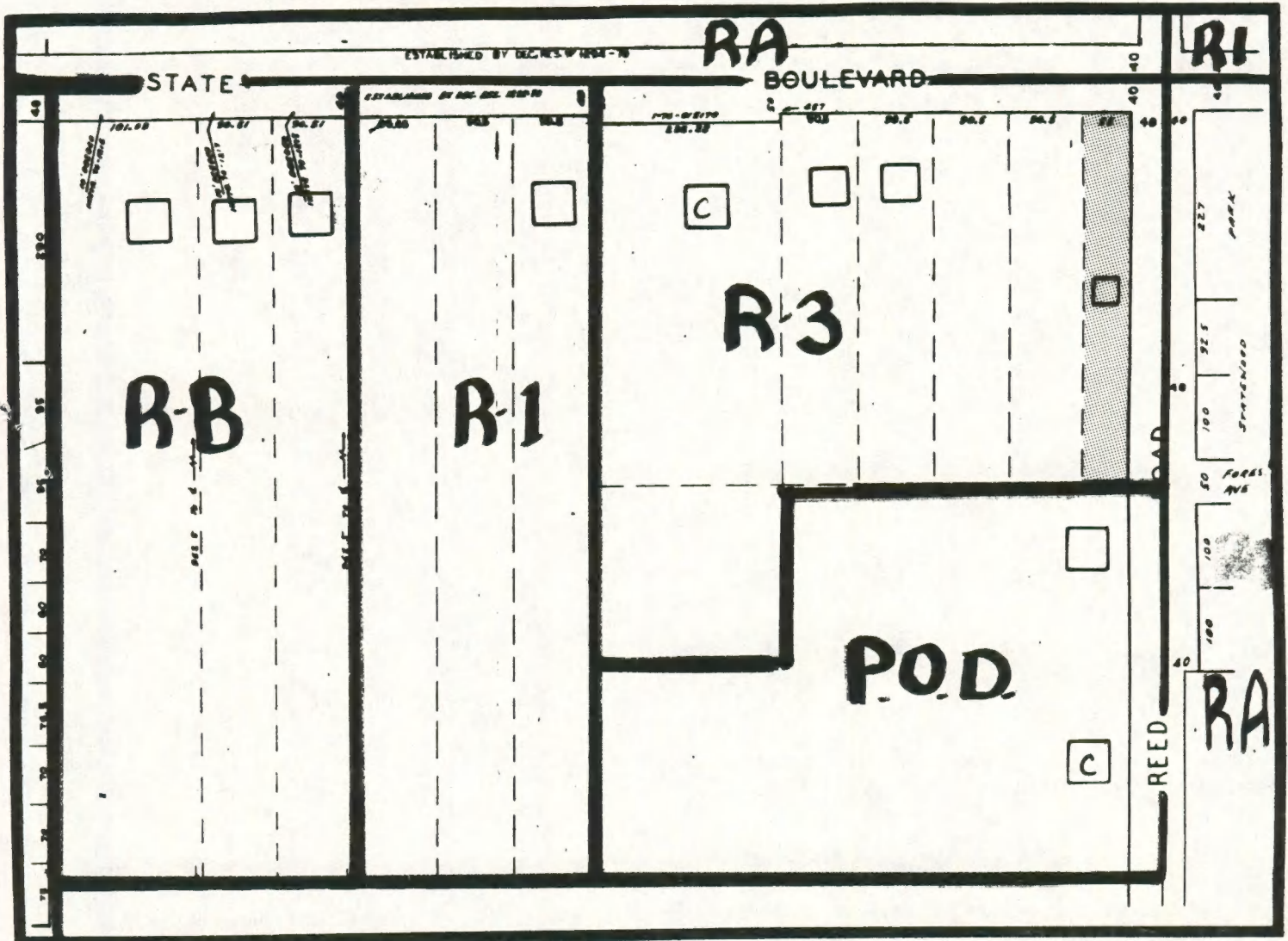
Melvin O. Smith
Secretary

REZONING PETITION # 225

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 TO A P.O.D. DISTRICT.

MAP NO. S-14

COUNCILMANIC DISTRICT NO. 2



ZONING:

LAND USE:

RI RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
RA RESIDENCE 'A'
RB RESIDENCE 'B'
P.O.D. PROFESSIONAL OFFICE DISTRICT

☐ SINGLE FAMILY
☐ COMMERCIAL

SCALE: 1"=200'

DATE: 8-28-86



Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

From R-3 to POD

DETAILS

Specific Location and/or Address 2117 Reed Road
Reason for Project To allow for expansion of a Professional Office District.
Discussion (Including relationship to other Council actions) <u>20 October 1986 - Public Hearing</u> William Swift attorney for the petitioners stated that this rezoning is in correlation with the requested rezoning at 4524 E. State Bl, which is part of the same parcel. He stated they want to rezone this property to a POD and make it part of the State/Reed Professional Office Park. He stated that this rezoning would make for a more uniform development of the area. He stated again that they have no conflict with the requested conditions placed on the property by staff, with the exception of the 30 foot setback on the west side of the property. There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning. <u>27 October 1986 - Business Meeting</u> Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

POSITIONS

RECOMMENDATIONS

Staff Recommendation	City Plan Commission City Wide Other Areas
Applicants/Proponents	Applicant(s) Richard & Teresa Daugherty City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

Of the eight members present 7 voted in favor of approval, one did not vote.

NOTE: The 30 foot setback on the west side of the property was amended by staff to reflect the needs of the petitioner.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date August 1, 1986

Projected Completion or Occupancy

Date November 6, 1986

Fact Sheet Prepared by

Patricia Biancaniello

Date November 6, 1986

Reviewed by

Gary Baith
Reference or Case Number

Date 11/12/86

ORIGINAL

DIGEST SHEET

ORIGINAL

SYNOPSIS OF ORDINANCE 2117 Reed Road

3-86-10-11

(ASSIGN TO COMMITTEE (J.N.))

BILL NO. Z-86-10-11

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of
Fort Wayne Zoning Map No. S-14

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

DONALD J. SCHMIDT

THOMAS C. HENRY

CHARLES B. REDD

CONCURRED IN 11-25-86

SANDRA E. KENNEDY
CITY CLERK